

1606422-Court-A-U.S.
ROBERT E FULLER JR
ATTORNEY AT LAW
P O BOX 1121
GOLDSBORO, NC 27533-1121

IN RE
FREDERICK A. BYNUM
2602 ARRINGTON BRIDGE ROAD

DUDLEY, NC 28333
SSN or Tax I.D. XXX-XX-8454

PAMELA G. BYNUM
2602 ARRINGTON BRIDGE ROAD

DUDLEY, NC 28333
SSN or Tax I.D. XXX-XX-3773

U.S. Bankruptcy Court
P.O. Box 791
Raleigh, NC 27602

Chapter 13
Case Number: 16-06422-5-DMW

NOTICE OF AMENDED MOTION FOR CONFIRMATION OF PLAN

Joseph A. Bledsoe, III, Chapter 13 Trustee has filed papers with the Court to Confirm the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the Motion For Confirmation Of Plan, or if you want the court to consider your views on the motion, then on or before 08/14/2017, you or your attorney must file with the court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at:

U.S. Bankruptcy Court
PO Box 791
Raleigh, NC 27602

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to debtor(s), debtor(s) attorney and trustee at the following addressses:

Debtor(s):	Attorney:	Trustee:
FREDERICK A. BYNUM	ROBERT E FULLER JR	Joseph A. Bledsoe, III
2602 ARRINGTON BRIDGE ROAD	ATTORNEY AT LAW	P.O. Box 1618
DUDLEY, NC 28333	P O BOX 1121	New Bern, NC 28563
-----	GOLDSBORO, NC 27533-1121	
PAMELA G. BYNUM		
2602 ARRINGTON BRIDGE ROAD		
DUDLEY, NC 28333		

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the motion at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: July 13, 2017

Joseph A. Bledsoe, III
Chapter 13 Trustee
P.O. Box 1618
New Bern, NC 28563

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION**

IN RE:

CASE NUMBER: 16-06422-5-DMW

FREDERICK A. BYNUM

PAMELA G. BYNUM

CHAPTER 13

DEBTOR(S)

AMENDED

**MINUTES OF 341 MEETING AND
MOTION FOR CONFIRMATION OF PLAN**

NOW COMES the Trustee in the above referenced Chapter 13 case moving the Court for an Order confirming the Plan in the case and, in support, of said Motion, says unto the court:

1. That the debtor(s) appeared at the meeting of creditors, as required by 11 U.S.C. § 341 and submitted to an examination under oath by the Trustee on February 8, 2017, or has supplied answers to written interrogatories;
2. The debtor(s) has/have complied with all requirements of 11 U.S.C §521 (a) (1) (B) and Interim Bankruptcy Rules 1007 and 4002 (b), as modified and adopted by this Court, and this case has not been dismissed, nor is it subject to dismissal, under 11 U.S.C. §521 (i);
3. That there are no pending objections to confirmation or other filings or pleadings that would impede the confirmation of the Plan in this case;
4. That the trustee has reviewed the schedules and relative information in the debtor(s) petition and has made a determination of the disposable income for the debtor(s) in this case. The calculation of disposable income impacts what, if any, dividend will be received by unsecured creditors. The debtor(s) plan provides for payments of:

\$1,029.00	for	7	Months
\$1,050.00	for	53	Months
	for		Months
	for		Months
5. That the liens of creditors which will not be paid in full during the term of the Plan or which are to be paid directly by the debtor(s) are not affected by the confirmation of this plan;
6. Generally, and subject to orders entered hereafter by the Court, any proof of claim that is not filed on or before April 12, 2017 ("Bar Date") shall be disallowed. Claims of governmental units, proofs of which are not filed before June 13, 2017 ("Government Bar Date") shall be disallowed;
7. That the claims of secured creditors shall be paid as secured to the extent of the claim or to the extent of the value of the collateral as set out below:

a. Claims to be paid directly by the Debtor:

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
NONE		

b. Continuing Long Term Debts to be paid by the Trustee:

IF A PROOF OF CLAIM IS TIMELY FILED the claim is to be paid on a monthly basis according to the terms of the contract effective the first month after confirmation. Arrearages, if any, are to be paid over the life of the plan. Two post-petition contractual payments shall be included in the administrative arrearage claim. **The Debtor is to resume direct payments upon completion of plan payments.**
(SEE PARAGRAPH 8 BELOW)

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
#800 Select Portfolio Servicing	Residence	Contractual payment in the amount of \$738.96 to be made by Trustee effective with the March 2017 payment
#801 Select Portfolio Servicing	Residence administrative arrearage claim	\$1,477.92 to be paid over life of plan (January and February 2017 payments)
#802 Select Portfolio Servicing	Residence pre-petition arrears	\$4,892.62 to be paid over life of plan

c. Claims paid to extent of claims as filed (no cramdown):

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
#029 Southeastern Auto Brokers	Attorney Fees/Order 04/28/17	\$551.00 to be paid over life of plan

d. Claims paid to extent of value:

<u>Creditor</u>	<u>Collateral</u>	<u>Present Value</u>	<u>Repayment Rate/Term</u>
NONE			

Pursuant to Local Rule 3070-1(b) some secured creditors may be entitled to pre-confirmation adequate protection payments.

8. **LONG TERM RESIDENTIAL MORTGAGE CLAIMS** shall be paid in a manner consistent with Local Rule 3070-2.
9. That the following creditors have filed secured proofs of claims but, due to the value placed on the collateral, the claims will be treated as unsecured and paid along with other unsecured claims. With respect to claims listed below for which the terms of repayment are listed as “Surrender,” upon entry of an Order confirming the plan, as modified by this Motion, the automatic stay of §362(a) and the automatic co-debtor stay of §1301 shall thereupon be lifted and modified with respect to such property “for cause” under §362(a)(1), as allowed by Local Rule 4001-1(b).

#005 Drivenow, Inc.	'11 International 18 Wheeler	Surrender
#014 Southeastern Auto Brokers	'04 Toyota Camry	Surrender
#018 Wells Fargo Dealer Services	'03 Lexus	Surrender

Reference herein to “Direct” or “Outside” or similar language regarding the payment of a claim under this plan means that the debtor(s) or a third party will make the post-petition payments in accordance with the contractual documents which govern the rights and responsibilities of the parties of the transaction, including any contractual modifications thereof, beginning with the first payment that comes due following the order for relief;

10. That the treatment of claims indicated in paragraphs 7 and 9 above, are based on information known to the Trustee at the time of the filing of this Motion. The treatment of some claims may differ from that indicated if subsequent timely filed claims require different treatment;
11. That the following executory contracts and unexpired leases shall be either assumed or rejected as indicated below:

<u>Creditor</u>	<u>Property Leased/Contracted For</u>	<u>Treatment</u>
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NONE

12. That priority claims shall be paid in full over the term of the Plan;
13. That confirmation of this Plan will be without prejudice to pending Motions For Relief From the Automatic Stay and will be without prejudice to objections to claims and avoidance actions;
14. That confirmation of the Plan vests all property of the estate in the debtor(s);
15. That the attorney for the debtor(s) is requesting fees in the amount of \$5,000.00. The Trustee recommends to the Court a fee of \$5,000.00. If the recommended fee is different from that requested an explanation can be found in Exhibit ‘A’.

s/ Joseph A. Bledsoe, III
Joseph A. Bledsoe, III
Standing Chapter 13 Trustee

EXHIBIT 'A'**CASE NUMBER: 16-06422-5-DMW****DEBTORS: FREDERICK A. BYNUM
PAMELA G. BYNUM****EMPLOYMENT:**

Debtor:	BUSINESS INCOME	GROSS INCOME:	\$58,344.00
Spouse:	DISABLED DAUGHTER'S SS INCOME		\$9,600.00

Prior Bankruptcy cases: Yes ☒ No ☐ If so, Chapter 13 filed 05/02/1999
Disposition: DISCHARGED 11/1/2002
CHAPTER 13 FILED 10/15/2010; DISMISSED 05/04/2012

Real Property: House and Lot ☐ Mobile home ☐ Lot/Land ☐ Mobile Home/Lot ☒

Description: RESIDENCE MOBILE HOME AND LOT, DUDLEY, NC

FMV \$30,390.00 Date Purchased

Liens \$73,000.00 Purchase Price

Exemptions \$0.00 Improvements

Equity \$ 0.00 Insured For

Rent Tax Value

COMMENTS:

<u>Attorney</u>	Requested:	\$5,000.00	(excluding filing fee)
<u>Fees:</u>	Paid:	\$300.00	(excluding filing fee)
	Balance:	\$4,700.00	

Trustee's Recommendation: \$5,000.00

Comments:

Plan Information:

<u>Plan Information:</u>		<u>After 341</u>		<u>Payout % After 341</u>	
Total Debts	\$103,526.83	Pay in	\$62,853.00	Priority	100.00%
Priority	\$6,324.52	Less 6.00%	\$3,771.18	Secured	100.00%
Secured	\$52,738.97	Subtotal	\$59,081.82	Unsecured	0.04%
Unsecured	\$44,463.34	Req. Atty. Fee	Incl. w/ claims	Joint	%
Joint Debts		Available	\$59,081.82	Co-Debts	%
Co-Debtor					

Objection to Confirmation: Yes ☒ No ☐
Payroll Deduction: Yes ☐ No ☒

Pending: SEE COURT DOCKET

Resolved: SEE COURT DOCKET

Motions Filed: Yes ☒ No ☐

If so, indicate type and status: SEE COURT DOCKET

Hearing Date:

CERTIFICATE OF MAILING

0015

CASE: 1606422 TRUSTEE: 2V COURT: 278
 TASK: 07-12-2017.01029892.LSA001 DATED: 07/13/2017

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Court Served Electronically

Trustee	Joseph A. Bledsoe, III	P.O. Box 1618 New Bern, NC 28563
Debtor	FREDERICK A. BYNUM	2602 ARRINGTON BRIDGE ROAD DUDLEY, NC 28333
Joint	PAMELA G. BYNUM	2602 ARRINGTON BRIDGE ROAD DUDLEY, NC 28333
799	000002 ROBERT E FULLER JR P O BOX 1121	ATTORNEY AT LAW GOLDSBORO, NC 27533-1121
020	000025 ATLAS ACQUISITIONS LLC	294 UNION ST HACKENSACK, NJ 07601
008	000009 INTERNAL REVENUE SERVICE	PO BOX 7346 PHILADELPHIA, PA 19101-7346
012	000019 RKL FINANCIAL	300 CONTINENTAL DR NEWARK, DE 19713
006	000023 GOLDSBORO EMERGENCY SPECIALISTS PO DRAWER K	2604 MEDICAL OFFICE PLACE GOLDSBORO, NC 27533
015	000011 WAYNE COUNTY TAX COLLECTOR CHAPTER 13 BANKRUPTCY	PO BOX 1495 GOLDSBORO, NC 27533-1495
017	000024 WAYNE RADIOLOGISTS CHAPTER 13 BANKRUPTCY	PO BOX 1757 GOLDSBORO, NC 27533-1757
016	000021 WAYNE MEMORIAL HOSPITAL 2700 WAYNE MEMORIAL DRIVE	PO BOX 8001 GOLDSBORO, NC 27533-8001
014	000007 SOUTHEASTERN AUTO BROKERS	3708 E ASH STREET GOLDSBORO, NC 27534-8315
024	000029 SOUTHEASTERN AUTO BROKERS	3708 E ASH STREET GOLDSBORO, NC 27534-8315
029	000034 SOUTHEASTERN AUTO BROKERS	3708 E ASH STREET GOLDSBORO, NC 27534-8315
010	000010 NC DEPT OF REVENUE PO BOX 1168	ANGELA C FOUNTAIN BANKRUPTCY RALEIGH, NC 27602-1168
018	000008 WELLS FARGO DEALER SERVICES	1100 CORPORATE CENTER DR FL 2 RALEIGH, NC 27606
019	000022 WELLS FARGO DEALER SERVICES	1100 CORPORATE CENTER DR FL 2 RALEIGH, NC 27606
005	000003 DRIVENOW, INC 4101 LAKE BOONE TRAIL, STE 100	C/O PAUL B HLAD, ESQUIRE RALEIGH, NC 27607
028	000033 PAUL B. HLAD	4101 LAKE BOONE TRAIL #100 RALEIGH, NC 27607
013	000020 SCA COLLECTION, INC	PO BOX 876 GREENVILLE, NC 27835
025	000030 WILLIAM F HILL PO BOX 2517	ATTORNEY AT LAW GREENVILLE, NC 27836
011	000018 ONLINE COLLECTIONS	PO BOX 1489 WINTERVILLE, NC 28590
009	000017 LVNV FUNDING. LLC	PO BOX 10497 GREENVILLE, SC 29603-0584
021	000026 LVNV FUNDING, LLC / FNBM, LLC PO BOX 10587	RESURGENT CAPITAL SERVICES GREENVILLE, SC 29603-0587

CASE: 1606422 TRUSTEE: 2V COURT: 278
 TASK: 07-12-2017.01029892.LSA001 DATED: 07/13/2017

004	000015	DAVIS REGIONAL MEDICAL CENTER	PO BOX 188 BRENTWOOD, TN 37024
027	000032	STATESVILLE HMA MEDICAL GROUP LLC	PO BOX 188 BRENTWOOD, TN 37024
026	000031	SYNCHRONY BANK PO BOX 41021	C/O PRA RECEIVABLES MANAGEMENT, LLC NORFOLK, VA 41021
007	000016	GREAT LAKES HIGHER EDUCATION	PO BOX 7860 MADISON, WI 53707
022	000027	US DEPT OF EDUCATION PO BOX 8973	CLAIMS FILING UNIT MADISON, WI 53708-8973
001	000012	DIRECTV LLC AMERICAN INFOSOURCE LP	4515 N SANTA FE AVE. OKLAHOMA CITY, OK 73118
003	000014	CHRYSLER CAPITAL	PO BOX 961275 FORT WORTH, TX 76161
023	000028	SANTANDER CONSUMER USA PO BOX 961275	D/B/A CHRYSLER CAPITAL FORT WORTH, TX 76161-1245
800	000004	SELECT PORTFOLIO SERVICING	PO BOX 65250 SALT LAKE CITY, UT 84165-0250
801	000005	SELECT PORTFOLIO SERVICING	PO BOX 65250 SALT LAKE CITY, UT 84165-0250
802	000006	SELECT PORTFOLIO SERVICING	PO BOX 65250 SALT LAKE CITY, UT 84165-0250
002	000013	CAINE & WEINER	PO BOX 5010 WOODLAND HILLS, CA 91365-5010

37 NOTICES

THE ABOVE REFERENCED NOTICE WAS MAILED TO EACH OF THE ABOVE ON 07/13/2017.
 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.
 EXECUTED ON 07/13/2017 BY /S/EPIQ Systems, Inc.

*CM - Indicates notice served via Certified Mail